

COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

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LETTER OF NONCOMPLIANCE

September 5, 1997

Mr. Al Byrd
Safety and Security Manager
The Virginian-Pilot
5429 Greenwich Road
Virginia Beach, VA 23462

**RE: EPA ID# VAD000485300
Virginian Pilot-Ledger Star
5429 Greenwich Road
Virginia Beach**

Dear Mr. Byrd:

On August 21, 1997, I conducted a RCRA Hazardous Waste Compliance Inspection at the above referenced facility. During the inspection it was noted that the facility is classified as a **SMALL QUANTITY GENERATOR - PRINTER**. During the inspection the following conditions were observed which are apparent violations of the Virginia Hazardous Waste Management Regulations (VHWMR). The violations are also described in the enclosed inspection checklists.

GENERAL VIOLATIONS:

1. The facility had not made arrangements with the local police and hospital to familiarize them with the facility, as well as the properties of hazardous wastes handled and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility. These arrangements are required by sections 9 VAC 20-60-370.E.4.d and 9 VAC 20-60-540.F.1.a and d (previously §6.4.E.4.d and 9.2.F.1.a and d), respectively, of the VHWMR.

Mr. Al Byrd
September 5, 1997
Page 2 of 3

It is suggested that you contact the local fire, police, and hospital, as well as the Virginia Department of Emergency Services, with the most current of the above information (e.g., MSDSs) and document these correspondences.

2. The following information was not posted with the security desk or next to a facility telephone: the name and telephone number of the emergency coordinator; and the location of fire extinguishers and spill control material. This information is required by section 9 VAC 20-60-370.E.4.e.(2)(a) and (b) (previously §6.4.E.4.e.(2)(a) and (b)) of the VHWMR.

AREAS OF CONCERN:

Sections 9 VAC 20-60-1340.B.1.a and b (previously §13.5.B.1.a and b) of the VHWMR require that material used for precious metal recovery meet manifest requirements, unless the waste is reclaimed under a contractual agreement pursuant to section 9 VAC 20-60-260.C (previously §5.C). On September 3, 1997, you indicated to me that the Greenwich Road facility has a contractual agreement for silver recovery (filter cartridges) with Maryland X-Ray Sales and Services of Baltimore, MD. Please provide with your response to this Letter of Noncompliance a copy of that agreement. Based on this conversation, I am not noting this as a violation for this inspection.

Depending on the type of cartridge system and service procedures, Maryland X-Ray **MAY** also be required to have a valid Virginia Transporter Permit. Please provide evidence that demonstrates that Maryland X-Ray is a permitted transporter in Virginia or is not required to maintain a permit under the VHWMR. The use of an unpermitted transporter for hazardous waste would constitute a violation under VHWMR 9 VAC 20-60-310.A.7 (previously §5.5.A.7).

On September 3, we also discussed the 30-gallon container in the recycling room which was labeled "dirty solvent". You indicated that Safety-Kleen stated this waste was non-hazardous. As you are currently re-evaluating your waste streams and performing TCLP analyses, please verify with your response that this material is truly not a USEPA-regulated hazardous waste.

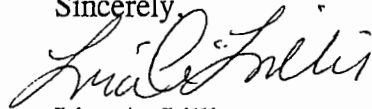
Please review the above violations and areas of concern, including the enclosed inspection checklists, and submit, within 30 days of receipt of this letter, a written explanation of corrective actions your facility intends to take or has taken to correct the identified compliance deficiencies. Please include a time schedule for these corrective actions and any supporting documentation to the corrective actions taken.

Your letter will assist our staff in maintaining a complete and accurate record of the compliance status of your facility. Compliance may be verified by on-site inspection or other appropriate means. Failure to respond may result in enforcement action by DEQ.

Mr. Al Byrd
September 5, 1997
Page 3 of 3

This Letter of Noncompliance is not an agency proceeding or determination which may be considered a case decision under the Virginia Administrative Process Act, Va. Code § 9-6.14:1 *et seq.* Please contact me at (757) 518-2175 if you have any questions about the content of this letter or need additional guidance in achieving or maintaining compliance.

Sincerely,



Lisa A. Lillis
Environmental Inspector

Enclosures

c: **Chitra Ballard, DEQ, OTA**
File

DEPARTMENT OF ENVIRONMENTAL QUALITY

SURVEY SHEET FOR INSPECTION OF HAZARDOUS WASTE FACILITIES

NAME of FACILITY: VIRGINIAN PILOT - LEDGER STAR

ADDRESS: 5429 GREENWICH ROAD
VIRGINIA BEACH, VIRGINIA 23462

EPA ID NUMBER: VAD000485300

FACILITY REPRESENTATIVE: AL BYRD

TITLE: SAFETY AND SECURITY MANAGER

TELEPHONE NUMBER: (757) 446-2852

INSPECTOR'S NAME: LISA A. LILLIS

TITLE: ENVIRONMENTAL INSPECTOR

DATE of INSPECTION: AUGUST 21, 1997

-
1. What is the business activity of the firm? (i.e., furniture mfg., metal plating, recycling, etc.)

LARGE CIRCULATION NEWSPAPER - PRINTING

2. Give a brief description of the waste stream(s) [by chemical name, if possible] and hazardous waste code(s) generated by the firm.

PARTS WASHER: A. WASTE COMBUSTIBLE LIQUID N.O.S. (PETROLEUM NAPHTHA) -- D008, D018, D039, D040

B. WASTE COMBUSTIBLE LIQUID N.O.S. (PETROLEUM NAPHTHA) -- D001, D006, D008, D018, D027, D039, D040

C. RQ HAZARDOUS WASTE LIQUID -- D018

OTHER: INKS - NOT USDOT OR USEPA HAZARDOUS MATERIAL

FILTERS (FROM INK RECYCLING) - NOT USDOT OR USEPA HAZARDOUS MATERIAL

PARTS WASHER (NON-HW): COMBUSTIBLE LIQUID N.O.S. (PETROLEUM NAPHTHA) - NOT USEPA HAZARDOUS WASTE

SILVER RECOVERY THROUGH FILTER CARTRIDGES -- CONTRACTUAL RECOVERY

BATTERIES RECYCLED

USED OIL -- NON-HW

RAGS (CONTAMINATED WITH INKS) ARE LAUNDERED -- NON-SW/HW

3. List the highest amounts of hazardous waste ever generated in any month of the calendar year and the greatest amount ever accumulated at the site of each type of waste generated.

Waste Code	Amount Generated	Amount Accumulated
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HAZ. WASTE ONLY:

PARTS WASHER A	VARIES, BUT > 220 LBS/MO	482 LBS
PARTS WASHER B	APPROX: 45 LBS/MO	134 LBS
PARTS WASHER C	(EPISODIC)	275 LBS

4. Does the facility ever generate greater than:
1 kg. of acutely toxic waste (P listed waste or
F020-F023 and F026-F027)? NO

100 kg of clean-up from a spill of P listed waste
or F020-F023 and F026-F027 waste? NO
If yes, then the facility is a large quantity generator.

5. How is the waste presently being handled? Where is it
sent? (List all transporters and facilities, or on-site
treatment performed).

TRANSPORTERS:

SAFETY-KLEEN EPA ID #ILD984908202

DISPOSAL FACILITIES:

SAFETY-KLEEN
CHESAPEAKE, VA EPA ID #VAD000737346

SAFETY-KLEEN
LEXINGTON, SC EPA ID #SCD077995488

OTHER:

SILVER RECOVERY -- MARYLAND X-RAY SALES AND SERVICES
BALTIMORE, MD

BATTERIES -- INTERSTATE BATTERY

USED OIL -- C AND M OIL

6. Does the facility generate any hazardous waste that
is excluded from regulation? If yes, list the waste
and the basis for exclusion. NO

7. Does the facility:

GENERATE Market Burn

used oil that is burned for energy recovery? Underline

or circle all that are applicable. (If the facility markets or burns used oil, fill out the Used Oil Checklist.)

YES

Does the generator of used oil to be burned for energy recovery (other than a **Conditionally Exempt Small Quantity Generator**) mix the used oil with hazardous waste? If **YES**, then fill out the **Used Oil Checklist**.

NO

8. Does the facility generate any hazardous waste that is reclaimed to recover economically feasible amounts of gold, **SILVER**, platinum, palladium, iridium, osmium, rhodium, ruthenium, or any combination of these?

YES

If **Yes**, list the waste, where it is sent, and complete the **Metals Recovery Checklist**.

SILVER GENERATED IN FILM PROCESSING IS CAPTURED THROUGH FILTER CARTRIDGES. SILVER IS RECOVERED BY MARYLAND X-RAY SALES AND SERVICES, BALTIMORE, MD, UNDER CONTRACTUAL AGREEMENT.

9. Does the facility **GENERATE**, transport, store, collect or reclaim spent lead-acid batteries? If **yes**, Underline or circle all that are applicable. If the facility stores batteries before reclaiming them, complete the **Metals Recovery Checklist**.

YES

10. Based on the above, the facility is a:

- a. conditionally exempt small quantity generator
- b. **SMALL QUANTITY GENERATOR**
- c. generator
- d. permitted or interim status TSD
- e. unpermitted TSD (explain in comments section)
- f. transporter
- g. other: please explain _____

[Underline or Circle All That Are Applicable]

11. Check accumulation times and quantities for the three types of generators. If the times or quantities are exceeded, then the facility is moved up to the next category. Complete the appropriate checklist(s).

A conditionally exempt small quantity generator can accumulate for an indefinite period of time until he has accumulated 1000 kg (approx. 5-55-gallon drums) of non-acute hazardous waste, at which time the accumulation time (180 days or 270 days) for small quantity generators begin.

Small quantity generators can accumulate hazardous waste for up to 180 days or 270 days if the disposal site is over 200 miles away (in containers and tanks only). However, if at any time over 6000 kgs of waste is accumulated, then the small quantity generator becomes a generator, or an unauthorized facility, as applicable.

12. List each container and tank accumulation area. Specify the number and capacity of each tank and container. [Note: Include any satellite accumulation areas. Verify that only 55 gallons of any particular hazardous waste code (or one quart of acutely toxic waste) is at that area.]

Location	Number of Containers	Number of Tanks	Capacity
PARTS	6	0	5 x 30-GAL
WASHERS			1 x 110-GAL

NOTE: FACILITY HAS NO SATELLITE OR 180-DAY ACCUMULATION AREAS. PARTS WASHERS ARE SERVICED DIRECTLY BY SAFETY-KLEEN AND ARE NOT GENERATED AS WASTE UNTIL SUCH SERVICING.

13. Comments:

(SEE #14 BELOW.)

14. Waste Management Flow Diagram:

(Sketch a brief, but detailed, flow diagram that includes how and where the waste is generated, the steps through a treatment system (if any), the steps through storage including satellite accumulation areas. Do this for each waste stream including excluded hazardous waste. Include any wastewater treatment facilities at the company, and verify the type of units included in the system, and any hazardous waste streams going to WWT.)

THE FACILITY USES A COMBINATION OF HAZARDOUS CONSTITUENT AND NON-HAZARDOUS SAFETY-KLEEN PARTS WASHERS. SAFETY-KLEEN PARTS WASHERS ARE LOCATED IN THE FOLLOWING AREAS: MACHINE SHOP (2); INK ROOM; RECYCLING ROOM; PRESS MAINTENANCE; AND GARAGE.

WASTE INKS FROM INK TRAYS ON THE PRESSES ARE COLLECTED AND TAKEN TO THE RECYCLING ROOM. INKS ARE RECYCLED ON SITE USING A FILTER/CENTRIFUGE SYSTEM. THE SYSTEM USES A SERIES OF 6-300 MICRON RECIRCULATING FILTERS AND ONE FINAL 200 MICRON FILTER. ONCE INKS CAN NO LONGER BE RECYCLED INTO R-BLACK, THE INKS ARE DISPOSED AS A NON-HAZARDOUS WASTE, AS DETERMINED THROUGH TCLP ANALYSIS. INK FILTERS WERE ALSO DETERMINED TO BE NON-HAZARDOUS WASTE. RAGS USED TO WIPE DOWN PRESSES ARE SENT TO A LAUNDRY SERVICE.

PLATE MAKING AND FILM DEVELOPMENT: SILVER RECOVERY THROUGH FILTER CARTRIDGES IS SERVICED BY MARYLAND X-RAY SALES AND SERVICES, BALTIMORE, MD. FILM NEGATIVES ARE RECYCLED AS PLASTICS AND ALUMINUM PLATES ARE ALSO RECYCLED.

GARAGE: USED OIL IS COLLECTED AND HANDLED BY C & M OIL. THE OILS ARE KEPT SEPARATED AND ARE NOT CONTAMINATED WITH GASOLINES OR OTHER HAZARDOUS CONSTITUENTS. ANTIFREEZE IS RECYCLED THROUGH SAFETY-KLEEN.

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHECKLIST FOR HAZARDOUS WASTE INSPECTION OF SMALL QUANTITY GENERATORS (SQG)

FACILITY NAME: VIRGINIAN PILOT-LEDGER STAR

EPA ID NUMBER: VAD000485300

INSPECTION DATE: AUGUST 21, 1997

NOTE: * means Non-Compliance

VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS

PART/ SECTION	REGULATION	YES	NO	N/A
6.4.E.4.a.	1. Does the generator ever accumulate a quantity of hazardous waste greater than 6,000 kilograms? (If YES , then use LQG or UNAUTHORIZED FACILITY Checklist .)		X	
6.4.E.4. 6.4.E.5. 6.4.E.6. 6.4.E.4.c. 9.9.L.	2. Does the small quantity generator accumulate hazardous waste for greater than 180 days (or 270 days if the disposal facility is greater than 200 miles away)? (If YES , then use UNAUTHORIZED FACILITY Checklist .) (If the SQG accumulates in TANKS , complete the SQG Tank Section, Items 23 through 25.)		X	
6.4.E.4.d. 9.2.B.1.	3. Does the generator have an internal communication or alarm system capable of providing immediate emergency instruction to facility personnel? FIRE ALARM AND PA SYSTEM	X		
6.4.E.4.d. 9.2.B.2.	4. Does the generator have a device such as a telephone or two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or Commonwealth or local emergency response teams? TELEPHONES AND FIRE ALARM PULLDOWNS	X		

PART/ SECTION	REGULATION	YES	NO	N/A
6.4.E.4.d. 9.2.B.3.	5. Does the facility have portable fire extinguishers, fire control equipment, and decontamination equipment? FIRE EXTINGUISHERS, SPRINKLER SYSTEM AND SPILL CONTROL	X		
6.4.E.4.d. 9.2.B.4.	6. Is there water at adequate volume and pressure to supply expected fire demands?	X		
6.4.E.4.d. 9.2.C.	7. Does the facility test and maintain the equipment in the previous four questions as necessary to assure proper operation?	X		
6.4.E.4.d. 9.2.C.	8. Is a log maintained of these inspections? TAGS ON FIRE EXTINGUISHERS (2/97)	X		
6.4.E.4.d. 9.2.E.	9. Is there adequate aisle space to allow the unobstructed movement of personnel, fire protection, spill control, and decontamination equipment to any area of the facility?	X		
6.4.E.4.d. 9.2.F.	10. Has the facility attempted to arrange agreements with the local authorities such that:			
6.4.E.4.d. 9.2.F.1.a.	A. The police, fire and emergency response teams are familiar with the layout of the site, the properties of the hazardous waste handled at the site, normal working areas, entrances to roads inside the facility and possible evacuation routes? ONLY FIRE DEPT. HAS BEEN CONTACTED; FACILITY STATED WILL CONTACT POLICE AND HOSPITAL.		*	
6.4.E.4.d. 9.2.F.1.b.	B. Where more than one police and fire department might respond to an emergency, the agreements specify a primary emergency authority?			X
6.4.E.4.d. 9.2.F.1.c.	C. Agreements with Commonwealth emergency response teams, emergency response contractors and equipment suppliers are specified? and			X
6.4.E.4.d. 9.2.F.1.d.	D. The local hospital is familiar with the properties of the hazardous wastes handled and the types of injuries or illnesses which could result from fires, explosions, or releases? (SEE #10A)		*	
6.4.E.4.e.(1)	11. Is there at least one employee either on the premises or on call at all times with the responsibility for coordinating all emergency response measures? (Emergency coordinator) NAME: AL BYRD TITLE: SAFETY AND SECURITY MANAGER	X		
6.4.E.4.e.(2)	12. Is the following posted next to the facility telephone: ALSO ACCEPTABLE TO POST WITH THE SECURITY DESK UNDER THEIR EMERGENCY PROCEDURES LIST			
6.4.E.4.e. (2)(a)	A. The name and telephone number of the emergency coordinator?		*	
6.4.E.4.e. (2)(b)	B. The location of fire extinguishers and spill control material; and if present, the location of the fire alarm? and		*	

PART/ SECTION	REGULATION	YES	NO	N/A
6.4.E.4.e. (2)(c)	C. The telephone number of the fire department (if no direct fire alarm)? (I.E. 911)	X		
5.B. 5.C.	13. Does the small quantity generator use a manifest to ship wastes off-site? If NO , go to Item # 18. If YES , continue.	X		
6.2.C.	14. Has the generator determined that the facility has an EPA ID number? (NOTE: Shipments to POTWs must be manifested, if transported by a vehicle and the POTW must meet all permit-by-rule requirements of VHWMR Section 11.8.B.)	X		
5.5.A.7.	15. Has the generator determined that the transporter has a valid EPA Identification number and a valid Virginia Transporter Permit?	X		
6.3. 5.3.B.1.	16. Is the following information on the manifest:			
5.3.B.1.	A. The generator's name, mailing address, EPA ID number, and telephone number?	X		
5.3.B.2.	B. A unique five digit number assigned to this manifest by the generator?	X		
5.3.B.3.	C. The total number of pages of the manifest?	X		
5.3.B.4.	D. The company name and EPA ID number of each transporter used?	X		
5.3.B.5.	E. The company name, site address, and EPA ID number of the facility designated to receive the waste?	X		
5.3.B.6.	F. The U.S. DOT description of each waste to include its proper shipping name, hazard class, and ID number(UN/NA) as identified in the Virginia Regulations Governing the Transportation of Hazardous Material?	X		
5.3.B.7.	G. The quantities of waste being shipped? and	X		
5.3.C.	H. The following certification: "I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by (mode of transportation) according to applicable international and national governmental regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to a degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford."	X		

PART/ SECTION	REGULATION	YES	NO	N/A
6.5.C.2.	17. Exception reporting: If the generator (SQG) has not received a copy of a manifest signed by facility within 60 days of initial transporter, did he submit a legible copy of manifest with an indication of not receiving a confirmation of delivery, to the Director?			X
5.C.	18. Does the small quantity generator have his wastes reclaimed under a contract, and use only a shipping paper? If YES,		X	
5.C.1.a.	A. Are the type of waste and frequency of reclamation shipments specified in the agreement?			X
5.C.1.b.	B. Is the vehicle used to transport the waste to the recycling facility and to deliver material back to the generator owned and operated by the reclaimer? and			X
5.C.2.	C. Does the small quantity generator maintain a copy of the agreement in his files for at least three years after termination or expiration of the agreement?			X
6.5.A.1.3. 15.1.G.1.a.	19. Does the generator retain copies of all manifests, test results and waste analyses for at least three years? Land Disposal Restriction Form should be retained for at least five years.	X		
6.4.E.4.e.(3)	20. Does the generator ensure all employees are thoroughly familiar with proper waste handling and emergency procedures? COMPLETED BY SAFETY-KLEEN FOR EMPLOYEES HANDLING SAFETY-KLEEN PRODUCTS; ALSO HAZ. COMM. ON SITE	X		
6.5.D.	21. Has the generator ever submitted a release report if responsible for release of Hazardous Substance which threatens public health? (Must notify NRC, Local Government, the Department.)		X	
6.4.E.4.b. 9.8.	22. Use and Management of Containers for 180 day accumulation areas: (270 days if TSF is over 200 miles away.) NO 180-DAY ACCUMULATION AREAS ON SITE			
9.8.B.	A. Are all containers holding hazardous waste in good condition, i.e., not showing signs of leakage or corrosion or any other deterioration/deformation?			X
9.8.C.	B. Are the containers lined or made of materials compatible with hazardous waste placed into them so that the container will not react with, or otherwise be incompatible with, the hazardous wastes stored?			X
6.4.E.4.d. 6.4.E.1.b.	C. Is the date upon which each period of accumulation begins clearly marked and visible for inspection on each container?			X
6.4.E.4.d. 6.4.E.1.c.	D. Is the container labeled or marked clearly with the words "Hazardous Waste"?			X

PART/ SECTION	REGULATION	YES	NO	N/A
9.8.D.1.	E. Are all containers holding hazardous waste kept closed during storage except as necessary to add or remove waste?			X
9.8.E.	F. Are areas where hazardous waste containers are stored inspected by the owner/operator at least weekly?			X
9.8.G.1.	G. Are incompatible wastes placed in separate containers? and			X
9.8.G.3.	H. Are storage containers holding hazardous wastes which are incompatible with any materials or other hazardous wastes stored nearby separated from the other materials or protected from them by means of dikes, berms, walls, or other devices?			X
6.4.E.3.a.	I. Does the generator have satellite accumulation areas where up to 55 gal of any one type of Hazardous Waste (HW) (1 qt acutely HW) are accumulated? If yes,		X	
6.4.E.3.a.	1. Is the area located at or near the point of hazardous waste generation where the wastes initially accumulate?			X
6.4.E.3.a.(1) 9.8.B.	2. Are the containers in good condition?			X
6.4.E.3.a.(1) 9.8.C.	3. Are the containers compatible with the waste?			X
6.4.E.3.a.(1) 9.8.D.1.	4. Are the containers kept closed except as necessary to add or remove waste? and			X
6.4.E.3.a.(2)	5. Are the containers marked with the words "Hazardous Waste" or other words that identify the contents of the container?			X
6.4.E.3.b.	J. Are amounts in excess of those allowed being accumulated in the satellite accumulation area? If yes,			X
	1. Has the generator marked the excess amount with the date the excess amount began accumulating? and			X
	2. Has the generator either removed the excess amount within three days of the date of excess accumulation or has he complied with all other provisions for accumulation areas. Namely, has he notified the Executive Director about the location of the accumulation area?			X
9.9.L.	23. Does the small quantity generator accumulate in tanks? If YES, describe Tank System in the COMMENT Section.		X	

PART/ SECTION	REGULATION	YES	NO	N/A
9.9.L.2.c.	A. If the TANK is uncovered, is there at least 2 feet of freeboard or a system with the capacity to hold the volume equivalent to 2 feet of freeboard? Describe the System in the COMMENT Section.			X
9.9.L.2.d.	B. If the TANK is fed continuously, is there a waste feed cutoff system or by-pass system? Describe the System in the COMMENT Section.			X
9.9.L.3.	C. Does the Small Quantity Generator (SQG) inspect the following at least once each operating day:			
9.9.L.3.a.	1. Discharge control equipment?			X
9.9.L.3.b.	2. Data gathered from monitoring equipment?			X
9.9.L.3.c.	3. The level of waste in the Tanks?			X
9.9.L.3.d.	D. Does the SQG inspect the following at least weekly:			
9.9.L.3.d	1. The construction materials of the Tanks for corrosion or leaking?			X
9.9.L.3.e.	2. The area immediately surrounding the discharge confinement system for leaks?			X
9.9.L.5.	E. If ignitable or reactive waste are generated, is the waste:			X
9.9.L.5.a.(1)	1. treated, rendered, or mixed before or immediately after placement so that the waste is no longer ignitable or reactive; or			X
9.9.L.5.a.(2)	2. protected from any material or conditions that may cause the waste to ignite or react; or			X
9.9.L.5.a.(3)	3. is the Tank used only for emergencies?			X
9.9.L.5.b.	F. If the Tank is covered and manages ignitable or reactive waste, are the buffer zones for the National Fire Protection Association codes met? List the required and actual distances: Required Actual _____			X
9.9.L.6	G. Are incompatible waste placed in the same tank? If YES,			X
	Is the tank cleaned prior to placing the incompatible waste in the Tank?			X
6.4.E.4.d	24. Is the Tank clearly marked with the words "Hazardous Waste"?			X
	25. PLEASE LIST ANY NEWLY REGULATED WASTE THAT IS NOT LAND RESTRICTED (such as D018-D043, F032, F034 or F035) ON THE LAST PAGE UNDER "COMMENTS".			

PART/ SECTION	REGULATION	YES	NO	N/A
15.1.A.2.	26. Does the facility GENERATE , transport, treat, store or dispose any land-restricted wastes? (See VHWMR Part 15)	X		
15.1.G.1.a.	27. For restricted wastes which the generator is managing for which he has not met the applicable treatment standards, has the generator accompanied each shipment of waste with a notification to the treatment facility of the appropriate treatment standards and any applicable prohibitions?	X		
	28. Did the notification include the following information:			
15.1.G.1.a. (1)	A. EPA Hazardous Waste Number?	X		
15.1.G.1.a. (2)	B. The corresponding treatment standards and all applicable prohibitions set forth in VHWMR Section 15.3.c.?	X		
15.1.G.1.a. (3)	C. The manifest number associated with the shipment of waste? and	X		
15.1.G.1.a. (4)	D. Waste analysis data, where available?	X		
15.1.A.3.	29. Is land disposal of wastes occurring? If Yes,		X	
15.1.A.3.a.	A. Has the facility been granted an extension to the effective date for land restrictions applicable to its restricted waste? OR			X
15.1.A.3.b.	B. Has the facility been granted an exemption from prohibition pursuant to a petition for those land-restricted wastes and units covered by the petition? OR			X
15.1.A.3.c.	C. Are the wastes hazardous only because they exhibit a hazardous characteristic and are they disposed outside the Commonwealth into an injection well without exhibiting any prohibited characteristic of hazardous waste at the point of injection?			X
15.1.A.5.a.	30. Is the waste generated by small quantity generators of less than 220 pounds (100 kg) of hazardous waste, or 1 kg of acutely hazardous waste per month? If so, the wastes are not subject to any provision of Part XV.		X	
15.1.E.	31. Has the owner/operator submitted an application for case-by-case extension to the effective date of any applicable restriction?		X	
6.4.E.7., 6.4.E.4.d., 15.1.G.1.d.	32. Is the SQG treating waste in Tanks or Containers in order to meet applicable treatment standards under VHWMR § 15.4?		X	
15.1.G.1.d.	33. If Yes, has the SQG developed a Waste Analysis Plan?			X
15.1.G.1.d. (2)	34. Has the Waste Analysis Plan been filed with the Director a minimum of 30 days prior to the treatment activity?			X

PART/ SECTION	REGULATION	YES	NO	N/A
15.1.F.	35. Has the owner/operator been granted a petition seeking an exemption from a prohibition for the disposal of hazardous waste in a particular unit or units?		X	
15.1.C.1.	36. Are facility representatives diluting the restricted waste or residual from treatment of the restricted waste as a substitute for adequate treatment, to circumvent the effective date of prohibition, to otherwise avoid a prohibition, or to circumvent a land disposal prohibition?		X	
15.1.D.1.	37. Is the facility treating land-restricted wastes in a surface impoundment or series of surface impoundments? (Note: Evaporation of hazardous constituents in a surface impoundment as the principal means of treatment is not considered to be an acceptable form of treatment for land restricted wastes.)		X	
	38. If Yes, does the facility meet the following requirements:			
15.1.D.1.b. 15.1.G. 15.3.C. 15.4. 15.3.	A. Are the residues of the treatment analyzed as specified in VHWMR § 15.1.G. or § 15.3.C. to determine if they meet the applicable treatment standards or VHWMR § 15.4, or where no applicable treatment standard exists, the applicable prohibition levels specified in VHWMR § 15.3?			X
15.1.D.1.c. 9.10.B.1. 10.10.B.3.	B. Has the owner/operator installed two or more liners and a leachate collection system consisting of an upper and lower liner designed, constructed and operated to prevent the migration of any constituents through the liners?			X
15.1.D.1.c. 10.5.	C. Is the facility in compliance with the applicable groundwater monitoring requirements of VHWMR § 10.5?			X
15.1.D.1.d.	D. Has the owner/operator submitted a written certification to the Executive Director that the requirements of § 15.1.D.1.C. have been met which states: "I certify under penalty of law that the requirements of 15.1.D.1.c. have been met for all surface impoundments being used to treat restricted waste. I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." and			X
15.1.D.1.d.	E. Has the owner/operator submitted a copy of the waste analysis plan for his restricted wastes accompanied by the above certification?			X

PART/ SECTION	REGULATION	YES	NO	N/A
15.1.G.1.b.	39. For restricted wastes which the generator has determined can be land disposed without further treatment , has the generator accompanied each shipment of waste with a notification and certification to the land disposal facility that the waste meets the applicable treatment standards and the applicable prohibitions of VHWMR § 15.3.C.?			X
	40. Did the notification include the following information:			
15.1.G.1.b. (1)(a)	A. EPA Hazardous Waste Number?			X
15.1.G.1.b. (1)(b)	B. The corresponding treatment standards and all applicable prohibitions?			X
15.1.G.1.b. (1)(c)	C. The manifest number associated with the shipment of waste? and			X
15.1.G.1.b. (1)(d)	D. Waste analysis date, where available?			X
15.1.G.1.b.2.	41. Was the certification signed by an authorized representative, and did it state the following: "I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in VHWMR § 15.4. and all applicable prohibitions set forth in VHWMR § 15.3.C. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment."			X
15.1.G.1.c.	42. Have restricted wastes which have received a case-by-case exemption, been granted an exemption through petition, or those wastes subject to a national variance, has the generator forwarded a notice with the waste to the land disposal facility stating that the waste is exempt from the land disposal restrictions?			X
15.1.G.1.g.	43. Does the generator retain on-site copies of all notices, certifications, demonstrations, waste analysis data, and other documentation for at least five years from the date the waste was last sent to on-site or off-site treatment, storage or disposal?			X
15.5.	44. Is the generator storing land restricted waste? (For one year storage only)		X	
15.5.1.a.	45. If Yes, is the storage on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal?			X

COMMENTS:

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHECKLIST FOR RCRA INSPECTION OF METALS RECOVERY

FACILITY NAME: VIRGINIAN PILOT-LEDGER STAR

EPA ID NUMBER: VAD000485300

INSPECTION DATE: AUGUST 21, 1997

NOTE: * means Non-Compliance

VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS

PART/ SECTION	REGULATION	YES	NO	N/A
13.5.A 13.5.B	1. Does the facility GENERATE , transport or store recyclable materials that are reclaimed to recover economically significant amounts of gold, SILVER , platinum, palladium, iridium, osmium, rhodium, ruthenium, or any combination of these?	X		
13.5.B.1	2. Have persons who generate, transport or store recyclable materials used for precious metal recovery met the following requirements:			
13.5.B. 1.a.	A. Notification requirements of VHWMR Part IV?	X		
13.5.B. 1.a.	B. Manifest requirements of VHWMR Part V? FACILITY UNDER CONTRACTUAL AGREEMENT			X
	C. Has the storer of recyclable materials verified that the transporter has a valid Virginia hazardous waste transporter permit?			X
13.5.B.1.b.	D. For generators, have they used a manifest system in accordance with VHWMR § 6.3? CONTRACTUAL AGREEMENT			X
13.5.B. 1.b.	E. For transporters, obtained a transporter permit in accordance with VHWMR Section 7.3, and used a manifest system in accordance with VHWMR Section 7.5?			X
13.5.B. 1.b.	F. For storers, have they followed the appropriate manifesting, recordkeeping and reporting requirements of VHWMR Section 9.4?			X

PART/ SECTION	REGULATION	YES	NO	N/A
13.5.B.2.	3. For persons who store recyclable materials, have the following records been kept to document that they are not accumulating these materials speculatively:			
	A. Records showing the volume of these materials stored at the beginning of the calendar year; and			X
	B. The amount of these materials generated or received during the calendar year; and			X
	C. The amount of materials remaining at the end of the calendar year?			X
	D. Has the storer turned over at least 75% of his stored recyclable materials in the preceding calendar year?			X
13.6.A.	4. Does the facility store spent batteries before reclaiming them? [Note: Persons who generate, transport, or collect spent batteries, or who store spent batteries but do not reclaim them are not subject to VHWMR Parts IV through XIII.] FACILITY GENERATES BATTERIES WHICH ARE COLLECTED BY INTERSTATE BATTERY; NO STORAGE ON SITE		X	
13.6.B.	5. For facilities who store spent lead-acid batteries before reclaiming them:			
13.6.B.1.	A. Has the facility filed a Notification?			X
13.6.B.3.	B. Has the facility complied with the appropriate sections of VHWMR Part X (except 10.1.D., 10.4.A., and 10.4.E.)?			X
13.6.B.4.	C. Has the facility complied with all applicable provisions of VHWMR Parts XI and XII?			X

Comments:

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHECKLIST FOR RCRA INSPECTION OF USED OIL BURNED FOR ENERGY RECOVERY

FACILITY NAME: VIRGINIAN PILOT-LEDGER STAR

EPA ID NUMBER: VAD000485300

INSPECTION DATE: AUGUST 21, 1997

NOTE: * means Non-Compliance

VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS

PART/ SECTION	REGULATION	YES	NO	N/A
13.4.A.1	1. Does the facility GENERATE , market or burn used oil that is burned for energy recovery (used oil fuel) in any boiler or industrial furnace that is not regulated as an incinerator except used oil mixed with hazardous wastes? Identify: _____	X		
	Note: Used oil burned for energy recovery is regulated as used oil fuel rather than hazardous waste if it is a hazardous waste solely because it exhibits a characteristic of hazardous waste and is not mixed with a hazardous waste, or if it contains hazardous waste generated by a conditionally exempt SQG. If it exceeds the following maximum levels of hazardous constituents, it is termed "off-specification" used oil fuel. (If No, it meets the specifications and is subject only to the requirements of 13.4.D.2.a. and 13.4.D.2.f. below).			
	Arsenic 5 ppm Cadmium 2 ppm Chromium 10 ppm Lead 100 ppm Flash point 100 F minimum Total Halogens 4000 ppm +			
	+ Used oil which contains greater than 1000 ppm total halogens is assumed to contain halogenated hazardous waste and therefore be regulated as hazardous waste unless the company has shown that the used oil does not contain hazardous waste. For those wastes shown not to contain hazardous waste, the maximum allowable total halogen level is 4000 ppm.			

PART/ SECTION	REGULATION	YES	NO	N/A
13.4.A.2.	2. Has the inspector determined that the used oil is not mixed with hazardous waste? If not, do so.	X		
	Has the generator mixed hazardous waste with his used oil?		X	
	If yes, explain: _____ (Used oil mixed with hazardous waste is managed as hazardous waste except for the case of waste generated by a CESQG).			
13.4.B.1-2.	3. For marketers of used oil fuel:			
	A. Does the person market off-specification used oil fuel only to burners or other marketers who have completed a Notification of Hazardous Waste Activity form and received an EPA Identification Number, and who burn the fuel in boilers, industrial furnaces or used oil-fired space heaters as defined in VHWMR Part 1?			X
13.4.D.2.a.	B. Has the marketer obtained analyses or other information documenting that the used oil fuel does not exceed the maximum levels allowed in question 1?			X
13.4.D.2.c.	C. Has the marketer completed a Notification of Hazardous Waste Activity form and obtained an EPA Identification Number?			X
13.4.D.2.d.	D. For each shipment of off-specification used oil to be burned for energy recovery initiated by the marketer, has the marketer prepared and sent an invoice to the receiving facility?			X
	If yes, did the invoice contain the following information?			X
	1. An invoice number;			X
	2. His own EPA Identification number and the identification number of the receiving facility?			X
	3. The names and addresses of the shipping and receiving facilities?			X
	4. The quantity of off-specification used oil to be delivered?			X
	5. The date of shipment or delivery? and			X

PART/ SECTION	REGULATION	YES	NO	N/A
	6. The following statement; "This used oil is subject to EPA regulation under 40 CFR Part 266."?			X
13.4.D.2.e.	E. For marketers who ship off-specification used oil fuel only to a burner or another marketer, has the marketer first obtained a one-time written and signed notice from the burner or marketer certifying that the burner or marketer has completed a Notification of Hazardous Waste Activity form, and if the recipient is a burner, that the used oil fuel will be burned in a boiler or industrial furnace only?			X
13.4.D.2.e.	F. For marketers who accept shipment of off-specification used oil fuel from other marketers, has the acceptor submitted to the other marketers the appropriate certification identified above?			X
13.4.D.2.f.	G. In addition to any applicable generator or storer recordkeeping requirements, does the marketer keep copies of all certification notices he receives or sends for at least three years from the date of his last off-specification used oil fuel transaction with the person to whom the certification was made?			X
13.4.D.2.f.	H. Does the marketer keep copies of the following records for at least three years:			
	1. Copies of analysis for used oil which he claims meets specifications?			X
	2. An operating log containing the following information for each shipment of used oil fuel that meets specification: Name and address of the receiving facility; the quantity of used oil fuel delivered; date of shipment or delivery; and a cross-reference to the record of used oil analysis?			X
	3. For each shipment of off-specification used oil fuel initiated, a copy of each invoice?			X
13.4.E.2	4. For burners (recyclers) of used oil fuel:			
	A. Has the burner filed the appropriate Notification of Hazardous Waste Activity form for his burning activities and received an EPA Identification Number?			X

PART/ SECTION	REGULATION	YES	NO	N/A
13.4.E.3	B. Prior to accepting the first shipment of off-specification used oil fuel from a marketer, did the burner provide each marketer with a one-time written and signed notice certifying that he has completed a Notification of Hazardous Waste Activity form and received an EPA ID Number, and that he will burn used oil only in an industrial furnace or boiler?			X
13.4.E.5.	C. Has the burner kept a copy of each of the following for at least three years:			
	1. Each invoice he has received?			X
	2. Copies of each analysis of used oil fuel that meets specifications.			X
	3. A copy of each certification notice that he sends to a marketer?			X

Comments: USED OIL IS COLLECTED AND HANDLED BY C & M OIL.